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10/679,963	10/06/2003	Gene Mason	MASIMO.353A	3580
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KNOBBE MARTENS OLSON & BEAR LLP			WINAKUR, ERIC FRANK	
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Please find below and/or attached an Office communication concerning this application or proceeding.



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10/679,963

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

NOTICE OF DRAWING INCONSISTENCY WITH SPECIFICATION

The drawings filed 9/1/2004 have been received. However, an inconsistency exists between the drawings and the Brief Description of the Drawings in the specification.

Figures _____ are listed in the Brief Description of the Drawings in the specification but not contained in the Drawings.

Figures Fig. 1 are contained in the Drawings but not listed in the Brief Description of the Drawings in the specification.

Applicant is required to correct the above-noted inconsistency within a time period of **ONE MONTH or THIRTY (30) DAYS, whichever is longer**, from the mailing date of this Notice, or within the time remaining in the time period set forth in the Notice of Allowability (Form PTOL-37) to file corrected drawings, whichever is longer. **NO EXTENSION OF THIS TIME PERIOD MAY BE GRANTED UNDER EITHER 37 CFR 1.136 (a) OR (b)**

Failure to correct the above noted inconsistency will result in **abandonment** of the application.

The file will be held in the Publishing Division to await the correction of the inconsistency.

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